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EXAMINER: Karen Cheng

FROM: Margaret Efron

COMPANY: U.S. Patent Office
Art Unit 1626

DATE: February 22, 2007

FAX NO.: (571) 273-8300

NO. OF PAGES
(INCLUDING COVER SHEET): 3

SUBJECT/MESSAGE:

Re: Serial No. 10/526,940; filed March 8, 2005
Attorney Docket No. BB-137

- 1) Election under 35 USC §121 (2 pages).

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I hereby certify that this correspondence is being
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February 21, 2007

Margaret Efron, Patent Attorney

ELECTION UNDER 35 USC § 121
Examining Group 1626
Patent Application
Docket No. BB-137
Serial No. 10/526,940

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

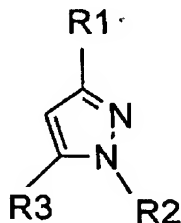
Examiner : Karen Cheng
Art Unit : 1626
Applicants : Ulrich Deuschle *et al.*
Serial No. : 10/526,940
Filed : March 8, 2005
For : NR3B1 Nuclear Receptor Binding 3-Substituted Pyrazoles

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION UNDER 35 USC §121

Sir:

In response to the written restriction requirement dated January 22, 2007, the Applicants hereby elect to prosecute the claims 1-4 (in part), 7-8 (in part), 27 (in part) drawn to a compound of formula (1), or pharmaceutical acceptable salts or solvate thereof,



formula (1)

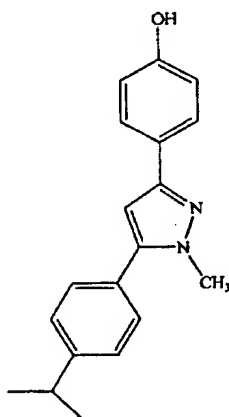
wherein

R₁ is substituted phenyl or C₅ to C₆ substituted heteroaryl;

R₂ is H, C₁ to C₈ alkyl, C₁ to C₈ substituted alkyl, C₁ to C₈ acyl, C₁ to C₈ substituted acyl, C₁ to C₈ alkoxy, C₁ to C₈ aminoacyl, or cyclopropyl; and

R₃ is C₇ to C₁₂ alkylphenyl, C₇ to C₁₂ substituted alkylphenyl, C₇ to C₁₂ substituted phenylalkyl, C₁ to C₈ aminoacyl, an ester or amide.

Further, the applicants elect the following specie to be examined:



The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

Respectfully submitted,

Margaret Efron
Patent Attorney

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MHE/la